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1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE EASTERN DISTRICT OF MISSOURI  
3                   EASTERN DIVISION  
4  
5  
6

7                   FRED WATSON,  
8                   Plaintiff,  
9

10                  vs.                   Case No.    4:17-CV-2187  
11

12                  CITY OF FERGUSON,  
13                  MISSOURI, et al.,  
14                  Defendants.  
15  
16  
17

18                               DEPOSITION OF FRED WATSON  
19                   Taken on behalf of the Defendants  
20                               August 16, 2018  
21  
22  
23  
24  
25

1 Q. And do you know if Fred Watson shows  
2 up in that computer system if he called in to check  
3 the name Fred Watson?

4 A. I don't know.

5 Q. All right. You don't know. Why  
6 didn't you identify yourself as Freddie Watson?

7 A. Because he didn't ask me specifically  
8 -- I go by Fred Watson.

9 Q. Well, sir, you are a very smart,  
10 intelligent individual.

11 A. Uh-huh.

12 Q. And you understand the difference  
13 between short names and full names, you understand  
14 that, correct?

15 A. I do.

16 Q. All right. And you have an officer  
17 approaching you asking you your name and you  
18 decided to use Fred as opposed to your legal name,  
19 correct? That was your decision?

20 A. I was never asked for my legal name.

21 Q. Okay. So if he would have asked you  
22 your legal name you would have told him Freddie  
23 Watson.

24 A. That's correct.

25 Q. But because he just asked you your

1 name you decided to tell him Fred Watson.

2 A. That's correct.

3 Q. And you don't know how or if Fred  
4 Watson appears anywhere in the REGIS system that  
5 the Ferguson police department would have checked,  
6 correct?

7 A. I don't know who he called, who he  
8 talked to or if they ran my name or not, I do not.

9 Q. I understand and that wasn't my  
10 question. My question is as you sit here today you  
11 don't know if Fred Watson comes up in a computer  
12 system that would be checked by the city of  
13 Ferguson, correct?

14 A. It shouldn't come up.

15 Q. Why not?

16 A. Because I haven't had any tickets, I  
17 haven't had any law enforcement infractions so my  
18 name shouldn't come up in those databases.

19 Q. Well, but you have a driver's  
20 license, right?

21 A. I do.

22 Q. And your drivers license is in what  
23 name?

24 A. It's in Freddie Watson, and it's a  
25 Florida driver's license.

1           Q.       I understand all of that. So you're  
2 saying though that you understood that Fred Watson  
3 wouldn't come up because you didn't have a license  
4 under the name of Fred Watson and you didn't have  
5 any traffic tickets, right?

6           A.       Yes.

7           Q.       And you knew that at the time you  
8 were communicating about Officer Boyd, right?

9           A.       That I didn't have any tickets?

10          Q.       That the name Fred Watson wouldn't  
11 come up because your license was in the name of  
12 Freddie Watson.

13          A.       So I don't know what you're asking me  
14 at this point. I don't know if he's running my  
15 name or why he's running my name or why it's  
16 required at this point. So I don't understand what  
17 you're asking me about what you they knew or what  
18 came up, I don't have any knowledge of any of those  
19 things.

20          Q.       I'm asking what you know. You knew  
21 your name was Freddie Watson and he didn't, right?

22          A.       Yes, I know that.

23          Q.       So he didn't know your name was  
24 Freddie Watson, right?

25          A.       No.

1 Q. I understand that. I'm just trying  
2 to get what was said between you and Officer Boyd.

3 A. Yes, sir.

4 Q. You told him that you had your  
5 driver's license in your pants in the back?

6 A. I believe so.

7 Q. You told him you had your  
8 registration in the glove compartment?

9 A. Yes.

10 Q. All right. Did you make any  
11 reference to a military ID?

12 A. After I was in handcuffs in the car.

13 Q. What did you say about a military ID?

14 A. Okay. So this is, for me this is a  
15 long process, this is it seems like forever.

16 Q. Right.

17 A. Backup finally comes -- or you don't  
18 want that information yet?

19 Q. No, I wanted to hear what you have to  
20 say about it.

21 A. After the gun is pulled on me and  
22 reholstered I'm still here and he asked for  
23 driver's license and registration. In fear for my  
24 life I'm not going to move from that spot that I'm  
25 at.

1 Q. Right.

2 A. My hands are on the steering wheel,  
3 that's where I am.

4 Q. Right.

5 A. I have no more words now for Officer  
6 Boyd until his backup came. Backup came, K-9 unit  
7 came, when I got there they huddled, they  
8 conversated, one of the guys came over to the  
9 window and he asked me what's going on, I told him  
10 what's going on, he tells me I just need to do what  
11 he say.

12 Q. Okay.

13 A. I need to follow his instructions or  
14 it could get worse, he don't want to let the K-9  
15 out and run through the car and all these other  
16 things.

17 Q. Who said they didn't want to let the  
18 K-9 out?

19 A. One of the other officers who was  
20 driving the truck with the K-9 in it.

21 Q. When the backup came they asked you  
22 to get out of the car, right?

23 A. No.

24 Q. They didn't ask you to get out of the  
25 car?

1           A.       No. When they came they had a  
2 conversation amongst themselves kind of like off to  
3 the side.

4           Q.       Okay.

5           A.       One of the officers came and just  
6 told me I need to follow his instructions, I need  
7 to do what he say.

8           Q.       Okay.

9           A.       During our exchange, now there's  
10 other people in the park paying attention to what's  
11 going on. I let him now I'm going to get out, I'm  
12 going to open the door, so I let this officer know  
13 what I'm going to do so I don't get killed.

14          Q.       Right.

15          A.       I'm not going to make any sudden  
16 moves or turn around and reach in the back of the  
17 car and try to grab something, no.

18          Q.       I understand that.

19          A.       So now they're there, I explain to  
20 him what's going on, he tell me I just need to do  
21 these things, I let him know I'm opening up the  
22 door, I opened the door.

23          Q.       What did he tell you you needed to  
24 do?

25          A.       I need to do whatever Officer Boyd

1 side, I would say seven, eight o'clock which as the  
2 door open, so again I pushed the door open, I hit  
3 the button to let the windows up, I have my hands  
4 up, he told me to get out of the car slowly.

5 Q. Who is he?

6 A. Officer Boyd told me to get out of  
7 the car slowly and put my hands up.

8 Q. You complied?

9 A. I did.

10 Q. All right.

11 A. The window is coming up, as the  
12 window is coming up I hit the button to turn the  
13 car off.

14 Q. Right.

15 A. I got out, as I'm getting out I got  
16 my hands up, he pushed me up against the car, I  
17 turned and I closed the door with my foot. It  
18 wasn't an aggressive turn, it wasn't an aggressive  
19 kick, I turned, I get out, he pushed me up against  
20 the car, as I'm turning I closed door and he cuffed  
21 me. Put me in the back of the squad car. They go  
22 back and talk some more.

23 Q. Why did you close the door?

24 A. I don't give them consent to search  
25 my car. I don't want them searching my car.



1 Q. I understand that.

2 A. That's why I closed the door.

3 Q. You closed the door to make sure --

4 A. Not to that make sure, so they would  
5 know I don't give them consent to search my car.

6 Q. Okay. So what you are trying to  
7 communicate by using your knee to close the door  
8 while you're being put in handcuffs was that you're  
9 not consenting to them searching your car?

10 A. I consented that before I got out of  
11 the car as I was talking to the other officer.  
12 When I told him I'm going to get out, let my window  
13 up, I don't give you permission to search my  
14 vehicle.

15 Q. So you said that before you got out.

16 A. Before I got out.

17 Q. And you got out and as you were be  
18 putting in cuffs you used your knee and closed the  
19 door.

20 A. I closed the door with my foot.

21 Q. Closed the door with your foot.  
22 okay. Then what happened next?

23 A. They cuffed me, put me in the back of  
24 the squad car.

25 Q. All right. And then --

1 where he was domiciled at the time, close paren,  
2 and provided, and offered to provide his driver's  
3 license which was located in the back of the car.

4 Do you see that?

5 A. Yes.

6 Q. Is that accurate?

7 A. No.

8 Q. What's inaccurate about paragraph 19?

9 A. My full name, I provided him Fred  
10 Watson and height, weight, or -- I provided him  
11 Fred Watson and my Florida address.

12 Q. It says where you were domiciled at  
13 the time. Were you domiciled in Florida at the  
14 time of this stop?

15 A. What is domiciled?

16 Q. Did you live in Florida at the time  
17 of this stop?

18 A. No.

19 Q. Okay. Where were you living at the  
20 time of this stop?

21 MR. WALDRON: Objection. It's been  
22 asked and answered.

23 A. In Illinois.

24 Q. (BY MR. NORWOOD) Okay. And so you  
25 weren't domiciled in Florida at the time, is that a

1 Q. All right. And you said also in your  
2 testimony that he also said something about I could  
3 shoot you right here and nobody would give a shit,  
4 right?

5 A. That's correct.

6 Q. You said that somewhere.

7 Do you reference that anywhere in  
8 your complaint?

9 A. I don't recall. I don't know.

10 Q. Do you know why you wouldn't have  
11 referenced that in your complaint?

12 A. No.

13 Q. Okay. Let's go to Paragraph 28 --

14 A. I would -- okay.

15 Q. Let's go to Paragraph 28. It says  
16 quote, defendant Boyd then ordered Mr. Watson to  
17 throw his keys out of the car window and turn off  
18 the car, unquote.

19 Do you see that?

20 A. Yes.

21 Q. Is that accurate?

22 A. That did happen.

23 Q. All right. And then 29, quote,  
24 fearful of how defendant Boyd might respond to any  
25 slight movement on his part Mr. Watson replied that

1 clearances?

2 A. Okay. So I did not make that  
3 statement --

4 Q. You did not make that statement?

5 A. I did not make that statement.

6 Q. Okay.

7 A. and I wanted to make sure that clear.  
8 If I'm not illegally prosecuted for these two years  
9 or so at that time.

10 Q. Right.

11 A. For those bogus charges.

12 Q. Right.

13 A. I'm never in that situation.

14 Q. Okay. Never in your situation for  
15 somebody to lie on you at the NGA in the personnel  
16 security division attributing a false statement to  
17 you to the effect of what if I went out there and  
18 started telling the government secrets on my own  
19 time.

20 A. I don't understand the question.

21 MR. NORWOOD: Let's read it back.

22 (Whereupon, the reporter read from the record)

23 A. Can you rephrase that question?

24 Q. (BY MR. NORWOOD) I can rephrase it,  
25 yes.

1     difficult but let's read the question and let's get  
2     the truth.

3             (Whereupon, the reporter read from the record)

4             A.       Wrong.   Ferguson, having the tickets  
5     in Ferguson, being illegally detained in Ferguson,  
6     not being allowed to go before the judge or have a  
7     trial led to my security clearance being suspended.  
8     That is the underlying reason why I'm reporting  
9     twice a month, why I'm being pulled in the office  
10    every day when I go to work.   What I also want to  
11    state to you is I never made this statement that's  
12    on this document, amongst the other inaccurate  
13    information.   There are two security people that I  
14    have to report to, again, feels like daily.   This  
15    is a, at this point a little over two years, it's a  
16    drawn out process while I'm reporting and  
17    reporting, I'm frustrated, I'm begging the  
18    government to give me a lawyer that I'll pay for  
19    out of my pocket because I have money.   I'm asking  
20    them to reach out to Ferguson and see if they can  
21    get any information on any of the tickets because  
22    moving back and forth from Ferguson to Clayton, the  
23    county, those tickets does not move with the case.  
24    They're just held.   The government can not resolve  
25    that clearance.   So while I'm explaining this in

1 this frustration with my security personnel about  
2 how I'm being bounced between all these different  
3 places and being reported, I'm frustrated, I'm  
4 tired, I'm exhausted. The statement that was made  
5 was I am being treated as if I am taking action,  
6 I'm being treated as if I am like Edward Snowden,  
7 that is the statement that was made. I've been  
8 around this outfit for 20 years, never have I taken  
9 classified information and shared with anybody.

10 I take my job serious, I take defending my country  
11 serious. I have done this for many years, I don't  
12 play with the classified information, I don't play  
13 with sharing any of that information. Passwords,  
14 Social Security numbers, all of those things, I  
15 take security very seriously. Never have I made a  
16 statement that I would go and tell government  
17 secrets.

18 Q. Right. I understand. And maybe you  
19 did, maybe you didn't. But somebody quoted, I mean  
20 this is not a summary, it says quote, what if I  
21 went out there and started telling the government  
22 secrets on my own time, that's a quotation. You  
23 see that in quotation marks?

24 A. I see that.

25 Q. You see that. Okay. And you were